

REMARKS/ARGUMENTS

Favorable consideration of this application, in light of the following discussion, is respectfully requested.

Claims 33-37, 39-44, and 77-80 are pending in the present application. Claim 33 has been amended, and Claim 80 has been added by the present amendment. Support may be found in Applicants' originally filed disclosure, at least, on pages 26, 29, and 30, and Figures 9 and 10. Thus, no new matter has been added.

In the outstanding Office Action, Claims 33, 44, 78, and 79 were rejected under 35 U.S.C. §103(a) as unpatentable over Dunn et al. (U.S. Patent No. 5,134,564, hereinafter "Dunn") in view of Boyle et al. (U.S. Patent No. 7,451,103, hereinafter "Boyle"), and further in view of Simmons (U.S. Patent No. 5,093,787); Claims 37, 40, 41, and 43 were rejected under 35 U.S.C. §103(a) as unpatentable over Dunn, Boyle, and Simmons, in further view of Marcial et al. (U.S. Patent No. 7,340,421, hereinafter "Marcial"); Claims 34-36, 39, and 77 were rejected under 35 U.S.C. §103(a) as unpatentable over Dunn, Boyle, and Simmons, in further view of Bellinger et al. (U.S. Patent No. 6,023,705, hereinafter "Bellinger"); and Claim 42 was rejected under 35 U.S.C. §103(a) as unpatentable over Dunn, Boyle, Simmons, and Marcial, in further view of Ashcroft et al. (U.S. Patent No. 7,364,667, hereinafter "Ashcroft").

Addressing now the rejection of Claims 33, 44, 78, and 79 under 35 U.S.C. §103(a) as unpatentable over Dunn, Boyle, and Simmons, Applicants respectfully traverse this rejection.

Claim 33 recites, in part,

an account reconciliation application executing, using the central processing unit, at the application database to create reconciliation documents that associate items of the ledger data with corresponding items of the source data pertaining to the financial account and determine reconciliation rules to reconcile any differences between corresponding portions of the source balance and the ledger balance, the reconciliation documents being

based in part on reconciliation profiles, the reconciliation profiles determining how the financial account is to be reconciled by, at least, determining the reconciliation rules and thereby how the source balance and the ledger balance are to be reconciled, the account reconciliation application creating the reconciliation profiles by way of a profile creation screen that enables input of information used to establish the reconciliation profiles, each of the reconciliation profiles having individualized reconciliation rules for reconciliation of the financial account, wherein

at least one of the reconciliation profiles includes supplementary information that corresponds to a past reconciliation of the financial account, the supplementary information being applied to the reconciliation of the financial account, and

the account reconciliation application splitting at least one of the reconciliation profiles into a plurality of split profiles according to additional attributes that define the financial account.

The outstanding Office Action concedes, on page 4, that Dunn fails to teach or suggest the features of the reconciliation documents and the reconciliation profiles, and also fails to show the relationship between the reconciliation documents and the reconciliation profiles. Furthermore, since Dunn does not teach the features of the reconciliation profiles, Dunn also fails to describe that the account reconciliation application splits at least one of the reconciliation profiles into a plurality of split profiles according to additional attributes that define the financial account, as is recited in the present amended Claim 33.

To cure the aforementioned deficiencies of Dunn, the Office Action relies on the Boyle reference. Boyle discusses a method of centralized automated reconciliation of investment manager and related custody accounts that uses computer hardware and software in a service bureau environment to receive information, and records electronically from fund managers and custodian banks in different formats, to reformat the files for inputting to the system, and to perform the reconciliation process in a uniform manner. According to Boyle, the method also allows one or both of fund managers and custodians to establish matching

rules, to view the results of the matching process, to track the investigation process for unmatched records, and to manually match unmatched records.<sup>1</sup>

The Office Action appears to assert, on pages 4-5, that Boyle's Figures 37 and 38 and the "Fund Manager Setup" function correspond to the "reconciliation profiles" of Claim 33.

However, even assuming *arguendo* the Office's aforementioned assertion, Boyle still does not teach or suggest splitting any of Boyle's "Fund Manager Setup" function or functions shown in Figures 37 and 38 into a plurality of split profiles according to additional attributes that define a particular account. In other words, Boyle fails to describe or suggest *splitting at least one of the reconciliation profiles into a plurality of split profiles according to additional attributes that define the financial account*, as is recited in amended Claim 33.

Applicants respectfully submit that the above-identified feature of Claim 33 provides certain advantages not discussed or suggested in the applied art. For example, the aforementioned feature of Claim 33 allows the financial account to be reconciled at a higher level of detail.<sup>2</sup>

As noted above, the outstanding Office Action asserts, on pages 4-6, that the Boyle reference teaches the features of the reconciliation documents and the reconciliation profiles, and the relationship between the reconciliation documents and the reconciliation profiles. Applicants respectfully traverse this assertion.

For example, it is respectfully submitted that Boyle does not describe that the reconciliation profiles are created by an account reconciliation application by way of a profile creation screen. Boyle discusses, for example, that "the uploaded account records are compared according to predefined matching rules to identify whether the first account record

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<sup>1</sup> Boyle: Abstract.

<sup>2</sup> Present specification: paragraph [0092].

matches the second account record.”<sup>3</sup> Boyle also discusses the definition of the term *predefined* by noting the following.

The system allows either or both the fund manager and the custodian to predefine the matching rules in any number of ways. For example, the available match groups for the fund manager and the custodian can be predefined. Likewise, the matching rules for one or both of the account records for positions or transactions can be predefined, and the matching rule can be predefined either substantially similar for each or different from one another.<sup>4</sup>

Moreover, Boyle provides examples of the meaning of *predefined* by noting the following.

[P]redefining the matching rules also includes, for example, predefining matching criteria in terms of tolerance in one or both of percentage terms and nominal terms. Further, the matching rules can be predefine with respect to any number of items of account record data, such as account number, security identification, units, unit cost, total cost, unit price, and total market value. In addition, the matching rules can be predefined in terms of levels of match success.<sup>5</sup>

However, Applicants respectfully submit that Boyle does not show an automated creation of reconciliation profiles and therefore an automated individualized association and creation of reconciliation rules or a set of such rules for a certain account. Therefore, Boyle fails to teach or suggest “the reconciliation documents being based in part on reconciliation profiles, the reconciliation profiles determining how the financial account is to be reconciled by, at least, determining the reconciliation rules and thereby how the source balance and the ledger balance are to be reconciled, the account reconciliation application creating the reconciliation profiles by way of a profile creation screen that enables input of information used to establish the reconciliation profiles, each of the reconciliation profiles having

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<sup>3</sup> Boyle: column 2, lines 51-55.

<sup>4</sup> Boyle: column 2, lines 56-63.

<sup>5</sup> Boyle: column 2, line 64 to column 3, line 5.

individualized reconciliation rules for reconciliation of the financial account,” as is recited by Claim 33.

Although the Simmons reference was not relied on to teach the features of the reconciliation documents and the reconciliation profiles, and the relationship between the reconciliation documents and the reconciliation profiles, Applicants respectfully submit that Simmons does not cure the above-identified deficiencies of the Boyle reference. Furthermore, since Simmons fails to teach or suggest these features, it is respectfully submitted that Simmons also does not describe or suggest splitting at least one of the reconciliation profiles into a plurality of split profiles according to additional attributes that define the financial account, as recited by amended Claim 33.

However, the Office Action asserts, on page 7, that the Simmons reference teaches that “at least one of the reconciliation profiles includes supplementary information that corresponds to a past reconciliation of the financial account, the supplementary information being applied to the reconciliation of the financial account.” Applicants also respectfully traverse this assertion, as next discussed.

Simmons uses a past reconciliation either in connection with the occurrence of an error during reconciliation (i.e., retrospective) or in connection with memory management problems (e.g., column 7, “Voiding Transactions” section). Simmons indicates that in case of an error, “... step 1507 considers any outstanding deposit from the previous reconciliation that has not resulted in a transit capture deposit at the bank (assuming that a bank day has passed since that previous reconciliation).” According to Simmons, “if such an old outstanding deposit has, in fact, failed to come in, the error count is incremented and an error message is sent to be printed on the statement.”<sup>6</sup>

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<sup>6</sup> Simmons: column 11, line 63 to column 12, line 2.

In contrast, in Claim 33, the supplementary information is already a part of the creation of the reconciliation profiles.

Thus, Simmons differs from the system recited in Claim 33 because Simmons uses the supplementary information from past reconciliations retrospectively, which is at the occurrence of an error, and the “supplementary information” of Simmons has no direct influence on the *current* reconciliation of the financial account. Simmons, for example, notes that “whether or not errors have been found, the host proceeds ... to send ... the records of all good deposits received by the bank.”<sup>7</sup> In other words, Simmons does not apply the supplementary information to the present reconciliation of the account, as required by Claim 33.

Accordingly, Applicants respectfully submit that Simmons does not teach, suggest, or render obvious at least *the supplementary information being applied to the reconciliation of the financial account*, as is recited in Claim 33.

Consequently, Dunn, Boyle, and Simmons fail to describe, suggest, or render obvious all of the features recited in independent Claim 33. Thus, Applicants respectfully request the rejection of Claim 33, and claims depending therefrom, be reconsidered and withdrawn.

New dependent Claim 80 has been added to further define the hosting system recited in Claim 1. It is respectfully submitted that the cited references fail to teach or suggest the features recited in Claim 80. Accordingly, Applicants believe Claim 80 contains allowable subject matter.

Accordingly, it is respectfully submitted that pending Claims 33-37, 39-44, and 77-80 are allowable.

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<sup>7</sup> Simmons: column 12, lines 3-6.

Consequently, in view of the present amendment and in light of the above discussion, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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